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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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08/756,122 11/25/96 JOHNSON

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LM01/1001

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EXAMINER

POINVIL, F

ART UNIT

PAPER NUMBER

2761

5

DATE MAILED:

10/01/98

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

OFFICE ACTION SUMMARY

- ☒ Responsive to communication(s) filed on 11/25/96
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 2 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- ☒ Claim(s) 1-19 is/are pending in the application.
- Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- ☒ Claim(s) 1-19 is/are allowed.
- ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☒ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☒ Notice of Reference Cited, PTO-892
- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s) \_\_\_\_\_
- ☐ Interview Summary, PTO-413
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

- SEE OFFICE ACTION ON THE FOLLOWING PAGES -

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### **DETAILED ACTION**

1. Claims 1 and 12 are objected to because of the following informalities:

As per claims 1 and 12 both of line 1, the Examiner suggests deleting the word "system" because the term "system" gives the appearance that the claims are directed toward an apparatus claim. Appropriate correction is required.

#### ***Specification***

2. The disclosure is objected to because of the following informalities:

Applicants have submitted a number of appendix sheets which fail to meet requirements under 37 CFR 1.96. For example, graphics and images are not text and must therefore be included with the figure sheets. Applicants' notations of graphics and images are not permitted in the appendix. Any diagrams containing graphical components must be submitted as figures and normal drawing sheets. Only computer program listings are permitted for appendices. Any changes to the figures such as their numbering, which affects the written specification must also include the necessary amendments among the drawings must be numbered as part of the written specification and meet the requirements of permissible material for that portion of the application. All submitted sheets to be printed as drawings must be submitted to meet all requirements of 37 CFR 1.84 (all sections), 1.81, 1.83, and 35 USC 113 and the PTO Draftsman. All claim elements, including structural features and process steps (e.g., algorithm steps in a flowchart) must be shown in the drawings, 37 CFR 1.83(a). All elements in the figures should be referenced in the written specification, and vice-versa.

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Applicant is reminded that when submitting proposed drawing correction any proposal for amendment of the drawings to cure defects must consist of two parts:

- a) A separate letter to the Draftsman in accordance with MPEP 608.02(r); and
- b) A print or pen-and-ink sketch showing changes in red ink in accordance with MPEP 608.02(v).

Appropriate correction is required.

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hertz (5,754,938) discloses a pseudonymous server for system for customized electronic identification of desirable objects.

Grubb et al (5,272,623) discloses a software programming method for forming government contracting documents.

Johnson (5,615,342) discloses an electronic proposal preparation system.

Girouard et al (4,982,346) discloses a mail promotion network apparatus and method.

#### *Allowable Subject Matter*

4. Claims 1-19 are allowable over the art of record.

5. The prior art taken alone or in combination fails to teach or suggest presenting a customized presentation item used to present the customer solution to the customer by integrating the customer

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solution with the selected selling entity element to reflect a portion of the customer solution in a manner which maintains the corresponding impression characteristic of the selected selling entity element taken in combination with a computer implemented method to facilitate a sale of a product as recited in independent claim 1.

The prior art taken alone or in combination fails to teach or suggest a presentation item generating subsystem provided to retrieve a selling entity element from the plurality of selling entity elements and to generate a presentation item by integrating customer solution information with the selected selling entity element taken in combination with a computer system for generating a customized presentation for a customer for facilitating the sale of a product as recited in independent claim 11.

The prior art taken alone or in combination fails to teach or suggest integrating the selected customer type element and the selected selling entity element into an integrated presentation output customized for a particular customer based on a customer solution taken in combination with a computer implemented method of generating a customized presentation item to facilitate a sale of a product as recited in independent claim 12.

The prior art taken alone or in combination fails to teach or suggest a presentation generation subsystem provided to automatically retrieve from the memory a customer type element corresponding to the target market indicated by the customer information as being associated with the particular customer and a selected selling entity element and to integrate the retrieved customer type element and the retrieved selling entity element into a presentation output customized for the

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particular customer based on the customer interest information taken in combination with a computer system for generating a customized presentation item for facilitating the sale of a product as recited in independent claim 19.

6. This application is in condition for allowance except for the following formal matters:

See Items or Paragraphs 1-2 above..

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for response to this action is set to expire **TWO MONTHS** from the date of this letter.

7. .

***Conclusion***


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Frantzy Poinvil, whose telephone number is (703) 305-9779. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM.

The fax phone number for this Art Unit is (703) 308-5357.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3800.

FP

23Sep98

  
**Frantzy Poinvil**  
**Primary Examiner**  
**Art Unit 2761**